



B/IFW 93

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: FM Bay

Notice of Allowance Mailed: September 22, 2005

Application No.: 09/904,911

Group Art Unit: 2664

Filed: July 16, 2001

Examiner: PATEL, Ajit

For: SYSTEM AND METHOD FOR INDIVIDUALIZED BROADCASTS ON A
GENERAL USE BROADCAST FREQUENCY

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Commissioner for Patents
MAIL STOP ISSUE FEE
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the **NOTICE TO FILE CORRECTED APPLICATION PAPERS**
dated November 15, 2005, Applicant submits herewith the following documents for appropriate
action by the U.S. Patent and Trademark Office:

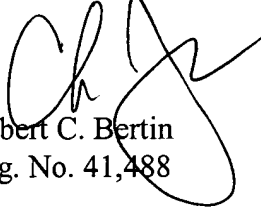
1. Copy of the Notice to File Corrected Application Papers;
2. Copy of Inventor's California Drivers License; and
3. Copy of Inventor's U.S. Passport.

The **NOTICE TO FILE CORRECTED APPLICATION PAPERS** indicates that the application is incomplete because the oath/declaration identifies the inventor by his initials and not by at least one given name as required by 37 CFR 1.63. However, it is incorrect that the oath/declaration identifies the inventor by his initials. As evidenced by the attached copies of the inventor's California Drivers License and U.S. Passport, "FM Bay" is the inventor's legal and valid name. Accordingly, "FM" is the inventor's given name and the oath/declaration is

complete. Therefore, it is respectfully submitted that the informality of the application has been overcome, and that the application proceed to issuance upon payment of the Issue Fee. The Commissioner is hereby authorized to charge any fees due or credit any overpayment to Deposit Account No. 19-5127 referencing 19635.0002.

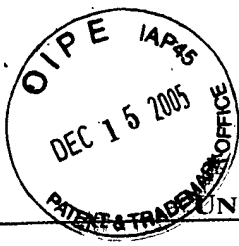
Respectfully Submitted,

Dated: 12-15-05


Robert C. Bertin
Reg. No. 41,488

46,495 for

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Serial Number
09904911

Date Mailed
11/15/05

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

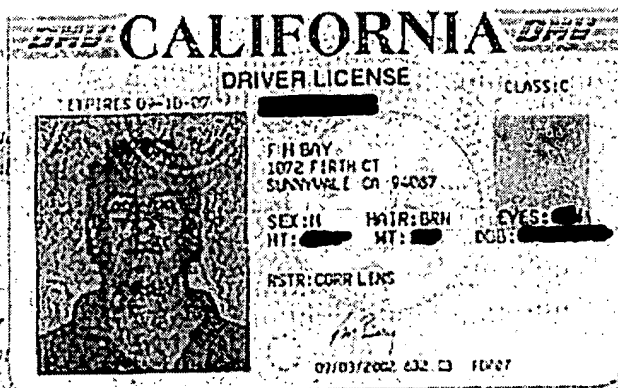
Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

- The oath/declaration identifies inventor by initials. At least one full name must be given without initial 37 C.F.R. 1.63 (a) (2).

APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.

A copy of this notice MUST be returned with the reply. Please address response to Commissioner for Patents P.O. Box 1450
Alexandria, VA 22313-1450

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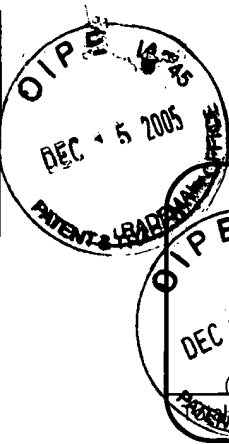
toute aide et protection légitimes.

SIGNATURE OF BRADER/SIGNATURE DU TITULAIRE

NOT VALID UNTIL SIGNED

[illegible][illegible]

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/904,911
Filing Date	July 16, 2001
First Named Inventor	FM Bay
Art Unit	2664
Examiner Name	Ajit, PATEL
Attorney Docket Number	19635.0002
Number of Pages in This Submission	5

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input checked="" type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Notice to File Corrected Application Papers w/Copy of Notice mailed 11/15/05 and attached copies of Inventor's California Driver's License and Inventor's U.S. Passport
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Swidler Berlin LLP		
Signature			
Printed Name	Robert C. Bertin		
Date	December 15, 2005	Reg. No.	41,488

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name		Date	